

To the Members of the California State Assembly:

I am returning Assembly Bill 2092 without my signature.

Brownfield sites can pose a threat to the public health and environment. I have strongly supported prior brownfield legislation and initiated administrative efforts to expand and improve brownfield site cleanups including AB 389 in 2004. Under my Administration, the California Environmental Protection Agency, State Water Resources Control Board, Regional Water Quality Control Boards and Department of Toxic Substances Control have signed a Memorandum of Agreement to improve coordination of regulatory activities at these sites.

This bill is unnecessary and may inadvertently stigmatize a site, delaying clean up and reuse. This bill assumes that vapor intrusion is a major undetected and unaddressed problem. Although vapor intrusion has been a problem at some specific sites, there are already effective measures to address this issue. The current site characterization and cleanup processes address all possible exposure pathways, including human health risk from vapor intrusion.

Additionally, this bill does not provide for the removal of sites from the summary list once it has been cleaned up or determined not to pose a public health risk. As a result, this bill is likely to result in unnecessary public concern and could result in sites not being cleaned up in a timely manner.

Sincerely,

Arnold Schwarzenegger